

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): An air battery comprising:

a battery container made of a laminate film and having a surface in which air pores are formed;

an electrode group provided in the battery container and including an air positive electrode, a negative electrode sheet containing a negative electrode containing a negative electrode active material which intercalates and deintercalates lithium ions, and a separator provided between the air positive electrode and the negative electrode;

a nonaqueous electrolyte; and

a laminated sheet including a barrier film which is provided between the surface of the battery container and the air positive electrode of the electrode group, and of which oxygen permeation coefficient is 1×10^{-14} mol·m/m²·sec·Pa or less, the barrier film being formed of thermoplastic resins, being non-porous, and having a thickness of 2 to 100 μm, and a gap holding member which is laminated on the barrier film and is opposite to the air positive electrode, and the gap holding member comprising at least one selected from the group consisting of a porous film, a nonwoven fabric, and a woven fabric,

wherein the air pores of the battery container are closed by the laminated sheet, and an internal pressure in the battery container during continuous discharge is lower than an atmospheric pressure by 0.1 to 80 kPa.

Claim 2 (Cancelled).

Claim 3 (Original): An air battery according to claim 1, wherein the ratio of the gap in the battery container except for the portion of the laminated sheet is 5 to 40%.

Claim 4 (Original): An air battery according to claim 1, wherein the battery container is formed of a laminate film containing aluminum and satisfying the following formula (1):

$$(Y \times T) < 10^2 \quad (1)$$

where Y is Young's modulus (MPa) of the laminate film, and T is the thickness (m) of the laminate film.

Claim 5 (Cancelled).

Claim 6 (Original): An air battery according to claim 1, wherein the thickness of the gap holding member is in a range of 10 to 500 μm .

Claim 7 (Original): An air battery according to claim 1, wherein the porosity of the gap holding member is in a range of 10 to 90%.

Claim 8 (Original): An air battery according to claim 1, wherein the air permeability of the gap holding member is 1000 sec/100 cm^3 or less.

Claim 9 (Original): An air battery according to claim 1, wherein 25 the porous film, nonwoven fabric and woven fabric are formed of a hydrophobic material containing at least one polymer selected from the group consisting of polyolefin, fluoroplastic, polyphenylene sulfide, polyethylene terephthalate, polybutylene terephthalate, and polyether ether ketone.

Claim 10 (Original): An air battery according to claim 1, wherein the laminated sheet further comprises a second gap holding member which is laminated on the barrier film and is opposite to the air pores.

Claim 11 (Original): An air battery according to claim 10, wherein the second gap holding member comprises at least one selected from the group consisting of a porous film, a nonwoven fabric, and a woven fabric.

Claim 12 (Original): An air battery according to claim 1, wherein the air positive electrode contains a carbonaceous material.

Claim 13 (Currently Amended): An air battery according to claim 1, wherein the negative electrode contains at least one negative electrode active material selected from the group consisting of a carbonaceous material ~~capable of deintercalating an alkaline metal ion or alkaline earth metal ion~~, a metal compound ~~capable of deintercalating an alkaline metal ion or alkaline earth metal ion~~, an alkaline metal, and an alkaline earth metal.

Claim 14 (Cancelled).

Claim 15 (Currently Amended): An air battery comprising:
a battery container made of a laminate film and having air pores;
an electrode group provided in the battery container and including an air positive electrode, a negative electrode sheet containing a negative electrode active material which intercalates and deintercalates lithium ions, and a separator provided between the air positive electrode and the negative electrode;

a nonaqueous electrolyte; and

a laminated sheet provided between the battery container and the electrode group, and the laminated sheet comprising a barrier film of which the oxygen permeation coefficient is $1 \times 10^{-14} \text{ mol} \cdot \text{m} / \text{m}^2 \cdot \text{sec} \cdot \text{Pa}$ or less, the barrier film being formed of thermoplastic resins, being non-porous, and having a thickness of 2 to 100 μm , and a gap holding member which is laminated on the barrier film and comprises at least one selected from the group consisting of a porous film, a nonwoven fabric, and a woven fabric,

wherein the air positive electrode of the electrode group is opposite to the gap holding member of the laminated sheet, and an internal pressure in the battery container during continuous discharge is lower than an atmospheric pressure by 0.1 to 80 kPa.

Claim 16 (Original): An air battery according to claim 15, wherein the electrode group is contained in a bag formed of the laminated sheet.

Claim 17 (Cancelled).

Claim 18 (Original): An air battery according to claim 16, wherein the ratio of the gap in the bag is 5 to 40%.

Claim 19 (Original): An air battery according to claim 15, wherein the battery container is formed of a laminate film containing aluminum and satisfying the following formula (1):

$$(Y \times T) < 10^2 \quad (1)$$

where Y is Young's modulus (MPa) of the laminate film, and T is the thickness (m) of the laminate film.

Claim 20 (Original): An air battery according to claim 15, wherein the laminated sheet further comprises a second gap holding member which is laminated on the barrier film and is opposite to the air pores.

Claim 21 (Currently Amended): The air battery according to claim 1, wherein the hydrophobic thermoplastic resins ~~[[is]]~~ are polyolefins, fluorine resins or polyphenylene sulfide.